IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

MONDAY, THE 17TH SEPTEMBER 2007 / 26TH BHADRA 1929

WP(C).No. 2098 of 2007(Y)

PETITIONER:

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1. THOMAS JOHN @ BABU,
   THEKKUMPURATHU VEEDU, KIZHAKKEN MUTHOOR MURI,
   KUTTAPPUZHA VILLAGE, THIRUVALLA TALUK.

2. MATHEW ABRAHAM @ GEEKUTTY,
   PATTAPARAMPIL VEEDU, KIZHAKKEN MUTHOOR MURI,
   KUTTAPPUZHA VILLAGE, THIRUVALLA TALUK.

BY ADV. SRI.P.HARIDAS

RESPONDENTS:

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1. STATE OF KERALA,
   REPRESENTED BY THE SECRETARY, LOCAL ADMINISTRATION,
   THIRUVANANTHAPURAM.

2. THIRUVALLA MUNICIPALITY,
   REPRESENTED BY ITS SECRETARY.

3. RAY JOHN VARGHESE,
   VELUTHEDATHU PARAMPIL, LOVELY VILLAYIL,
   KIZHAKKEN MUTHOOR MURI, KUTTAPPUZHA VILLAGE,
   THIRUVALLA TALUK.

4. JOHN SACKARIA,
   VELUTHEDATHU PARAMPIL HOUSE,KIZHAKKEN MUTHOOR MURI
   KUTTAPPUZHA VILLAGE, THIRUVALLA TALUK.

BY G.P. SRI.K.J.MUHAMMED ANZAR
BY ADV. SRI.JACOB MATHEW MANALIL (R2)
SRI.ABRAHAM JOHN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 17/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C. KURIAKOSE, J.

W.P.(C) NO. 2098 of 2007

Dated this the 17th day of September , 2007

JUDGMENT

Sri.Jacob Mathew Manalil, the learned counsel for the Municipality submits that permit was initially granted to the 3rd and the 4th respondent and the same was withdrawn subsequently. The learned counsel further submitted that fresh permit, if any, will be issued to respondents 3 or 4 only after hearing the petitioners also. In view of the above submission and taking into account the circumstance that the parties are already before the Civil court by O.S.No.456/2006, I dispose of the writ petition recording the submission of the learned Standing Counsel for the Municipality and relegating the parties to have adjudication of all these issues between them by the Civil court.

PIUS C. KURIAKOSE,
JUDGE.

dpk